

4-304.

(A) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A HEALTH CARE PROVIDER SHALL COMPLY WITHIN A REASONABLE TIME AFTER A PERSON IN INTEREST REQUESTS IN WRITING:

(I) TO RECEIVE A COPY OF A MEDICAL RECORD; OR

(II) TO SEE AND COPY THE MEDICAL RECORD.

(2) IF A MEDICAL RECORD RELATES TO A PSYCHIATRIC OR PSYCHOLOGICAL PROBLEM AND THE ATTENDING HEALTH CARE PROVIDER, WITH ANY AVAILABLE AND FEASIBLE INPUT FROM A PRIMARY PROVIDER OF MENTAL HEALTH SERVICES, BELIEVES DISCLOSURE OF ANY PORTION OF THE MEDICAL RECORD TO BE INJURIOUS TO THE HEALTH OF A PATIENT OR RECIPIENT, THE HEALTH CARE PROVIDER MAY REFUSE TO DISCLOSE THAT PORTION OF THE MEDICAL RECORD TO THE PATIENT, RECIPIENT, OR PERSON IN INTEREST BUT, ON WRITTEN REQUEST, SHALL:

(I) MAKE A SUMMARY OF THE UNDISCLOSED PORTION OF THE MEDICAL RECORD AVAILABLE TO THE PATIENT, RECIPIENT, OR PERSON IN INTEREST;

(II) INSERT A COPY OF THE SUMMARY IN THE MEDICAL RECORD OF THE PATIENT OR RECIPIENT;

(III) PERMIT EXAMINATION AND COPYING OF THE MEDICAL RECORD BY ANOTHER HEALTH CARE PROVIDER WHO IS AUTHORIZED TO TREAT THE PATIENT OR RECIPIENT FOR THE SAME CONDITION AS THE HEALTH CARE PROVIDER DENYING THE REQUEST; AND

(IV) INFORM THE PATIENT OR RECIPIENT OF THE PATIENT'S OR RECIPIENT'S RIGHT TO SELECT ANOTHER HEALTH CARE PROVIDER UNDER THIS SUBSECTION.

(B) (1) A HEALTH CARE PROVIDER SHALL ESTABLISH PROCEDURES FOR A PERSON IN INTEREST TO REQUEST AN ADDITION TO OR CORRECTION OF A MEDICAL RECORD.

(2) A PERSON IN INTEREST MAY NOT HAVE ANY INFORMATION DELETED FROM A MEDICAL RECORD.

(3) WITHIN A REASONABLE TIME AFTER A PERSON IN INTEREST REQUESTS A CHANGE IN A MEDICAL RECORD, THE HEALTH CARE PROVIDER SHALL:

(I) MAKE THE REQUESTED CHANGE; OR

(II) PROVIDE WRITTEN NOTICE OF A REFUSAL TO MAKE THE CHANGE TO THE PERSON IN INTEREST.